

Session 11-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:01 p.m. on September 21, 2011 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, DOLMA, ERICKSON, HIGHLAND, MINSCH, SONNEBORN, VENUTI

STAFF: CITY PLANNER ABOUD
DEPUTY CITY CLERK JACOBSEN

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

There were no public comments.

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

1. Approval of the September 7, 2011 minutes
2. Time Extension Requests
3. Approval of City of Homer Projects under HCC 1.76.030 g
4. KPB Coastal Management Program Reports

The Consent Agenda was approved by consensus of the Commission.

PRESENTATIONS

REPORTS

- A. Staff Report PL11-101, City Planner's Report

City Planner Abboud reviewed his staff report. There was discussion about the Flood Maps and the need for public meetings prior to the 90 day comment period as the information is difficult to understand.

PUBLIC HEARINGS

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

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- A. Staff Report PL 11-96, CUP 11-12, 182 E. Pioneer Avenue, Portion of Lot 6 Nils O. Svedlund Subdivision Amended, Request for More than one Building Containing a Permitted Principle Use on a Lot

Commissioner Erickson stated she may have a conflict of interest.

BOS/VENUTI MOVED THAT COMMISSIONER ERICKSON HAS A CONFLICT OF INTEREST.

Commissioner Erickson said the applicants are customers and could fall within the standards outlined in City Code.

VOTE: YES: BOS, MINSCH, HIGHLAND, SONNEBORN, VENUTI, DOLMA

Motion carried.

Commissioner Erickson left the table.

City Planner Abboud reviewed the staff report.

Victoria Wilson-Winne and Tom Winne, applicants, commented that the staff report covered their project and they are available to answer questions from the Commission.

Question was raised about meeting the set back requirements and the applicant advised the area has been surveyed and they plan to build seven feet from the lot line. The code requires 5 feet.

Regarding the water and sewer the Mr. Winne explained that it will tie into the existing building.

Chair Minsch opened the public hearing. There was no audience present to comment and Chair Minsch closed the public hearing.

BOS/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 11-96 CUP 11-12 AT 182 E. PIONEER AVENUE PORTION OF LOT 6 TRACT A NILS O SVEDLUND SUBDIVISION AMENDED REQUEST FOR MORE THAN ONE BUILDING CONTAINING A PERMITTED PRINCIPLE USE ON A LOT WITH STAFF FINDINGS AND RECOMMENDATIONS.

Commissioners commented that the applicant provided a good packet and the project does what is laid out in the City's long range plans.

VOTE: YES: HIGHLAND, SONNEBORN, MINSCH, VENUTI, DOLMA, BOS

Motion carried.

Commissioner Erickson returned to the table.

There was brief discussion regarding water and sewer costs and billing.

PLAT CONSIDERATION

There were no plats scheduled for consideration.

PENDING BUSINESS

A. Staff Report PL 11-99, Draft Sign Code Amendments

BOS/HIGHLAND MOVED TO DISCUSS AND MAKE RECOMMENDATIONS REGARDING THE DRAFT SIGN CODE AMENDMENTS.

There was discussion about vehicle signs. Commissioner Erickson suggested the language from the United States Sign Council would be appropriate as it is more defining and should replace (g), line 311, and leave 1 and 2 below it.

ERICKSON/BOS MOVED TO AMEND LETTER G LINE 311 THROUGH 314 TO READ WHAT THE UNITED STATES SIGN COUNCIL RECOMMENDS ON PAGE 35 OF THE PACKET.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud suggested eliminating number one and two that follow letter g. The Commission agreed by consensus to eliminate lines 315 to 317 as well.

There was discussion that the verbiage about temporary signs starting on line 339 is confusing and they considered ways to clarify it. The following language was suggested:

Temporary signs that bear a commercial message are not allowed except 1. For advertising a garage sale; 2. Advertising real estate for sale, then include the rules that apply to the signs that are allowed, a) they may not be off premise and b) there may be only one.

SONNEBORN/BOS MOVED TO SEND THIS BACK TO STAFF TO HAVE IT RE-OUTLINED.

Suggestion was made to word it in the positive and say when they are allowed instead of when they are not. There was further discussion about having a short period of time for having free sign permits and the concept of having a thirty day time frame for new businesses to be allowed to have temporary signs.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

ERICKSON/HIGHLAND MOVED THAT WE HAVE A TWO WEEK GRACE PERIOD FOR A NEW BUSINESS TO HAVE A TEMPORARY SIGN.

The Commission considered different time frames, why a grace period might be needed, and what type of sign might be allowable. They reviewed the purpose of the sign code which is stated at the beginning of HCC 21. 60. It was noted that once a person gets a permit they can do a temporary or interim sign that is allowed under the permit until the permanent sign

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comes in. Staff could advise sign applicants of a thirty day temporary allowance when they get their permit.

VOTE: NO: MINSCH, DOLMA, ERICKSON, VENUTI, HIGHLAND, BOS, SONNEBORN

Motion failed.

ERICKSON/MINSCH MOVED THAT THERE BE A THIRTY DAY GRACE PERIOD ALLOWED FOR AN INTERIM SIGN FOR NEW BUSINESSES WHEN THEY APPLY FOR THEIR SIGN PERMIT.

The Commission considered the circumstances that could warrant an interim sign. It wouldn't apply to existing businesses that have name changes or are changing signs; only sign permit applications for new businesses. It was noted that there needs to be a definition of an interim sign. Staff could bring back recommendations for the Commission if the motion passes.

Concern was expressed about interim signs out all summer. Point was also raised that this concept muddies the waters and there needs to be a better way to add this to the already confusing sign code. There has to be other ways to be pro-business and deal with these signs.

It was suggested that the interim sign could be smaller than what is allowed normally. City Planner Abboud it is still a temporary sign and creating this makes a whole new section and makes it more complicated.

There was discussion that there should be an opportunity for new businesses to be able to show that they are there, or they don't have a sign yet because they just found their building. A differing view was that it sounds like a business just coming in to test the water without putting much money in to it, or they feel it isn't worth the investment and won't be in business another year. If a business is coming in for the long haul, why wouldn't they plan and invest in permanent sign.

VOTE: YES: ERICKSON

NO: VENUTI, DOLMA, BOS, SONNEBORN, MINSCH, HIGHLAND

Motion failed.

City Planner Abboud will bring back a staff report that includes Mr. Smith's comments from the last meeting.

SONNEBORN/BOS MOVED TO POSTPONE THE SIGN ORDINANCE UNTIL BROUGHT BACK BY STAFF.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commission took a break at 7:57 p.m. and the meeting resumed 8:01 p.m.

NEW BUSINESS

A. Staff Report PL 11-100, Kachemak Drive Bike Path

City Planner Abboud reviewed the recommendations in the staff report.

The Commission discussed the project and acknowledged there has been Commission support of this concept.

MINSCH/BOS MOVED THAT THE ADVISORY PLANNING COMMISSION SUPPORTS THE CONCEPT OF A NON MOTORIZED ACCESS ALONG KACHEMAK DRIVE.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MINSCH/BOS MOVED THAT A LARGE PART OF THIS PROJECT IS A PRIVATE PROPERTY RIGHTS ISSUE THAT SHOULD BE ADDRESSED CAREFULLY FROM THE ONSET. THE UTILITY EASEMENTS ARE PRIVATE PROPERTY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

BOS/HIGHLAND MOVED THAT THE ADVISORY PLANNING COMMISSION RECOMMEND THE CITY ADD THE KACHEMAK DRIVE PATH IMPROVEMENTS TO THE STIP NEEDS LIST AS AN AVENUE FOR STATE FUNDING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was discussion that this needs to be a grass roots public effort as the people who had to give up easements through eminent domain are not going give anything to the City.

MINSCH/HIGHLAND MOVED THAT THE COMMISSION APPRECIATES THE EFFORTS OF THE PARKS AND RECREATION ADVISORY COMMISSION AND ENCOURAGES THEM TO CONTINUE WITH THIS GRASS ROOTS EFFORT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Report dated September 9, 2011

Chair Minsch commented that the EDC will be talking about the sign code amendments at their September 27th meeting and she plans to attend.

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

City Planner Abboud commented that he will work on the sign ordinance and wonders if they should do anymore extra notice for another public hearing. The City Manager included information about it in his report to Council. Chair Minsch said she would work with the City Planner on preparing a one or two page information item for distribution.

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she likes the idea of attempting to put a point of view in the newspaper explaining what they are doing and they tried to get ideas out there that are relevant and correct. She is interested in hearing ideas of business owners and is concerned that they feel the Commission is anti business. Perhaps a point of view article could also explain that the Commission is made up of volunteers and we are looking for solutions.

Commissioners Erickson, Sonneborn, and Venuti had no comment.

Commissioner Bos commented that he is enjoying the Planning Commission over the last few weeks more than he has over the last three years. The last meeting wasn't pleasant, but other than that it is becoming more enjoyable.

Commissioner Dolma said he is really enjoying working with this quick thinking, deep thinking, nimble minded group.

Chair Minsch concurred that this is a fun group and everyone is working hard. She is pleased and proud.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:21 p.m. The next regular meeting is scheduled for October 5, 2011 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____